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ATTORNEY FOR DEBTOR

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:	§ CASE NO. 17-42307
STEVEN LEE STRUCK	§
LEANNE POARCH STRUCK	§
DEBTORS	§ CHAPTER 13

OBJECTION TO CLAIM #3 OF RUSHMORE LOAN MANAGEMENT SERVICES

TO THE HONORABLE JUDGE OF THIS COURT:

COME NOW **Steven Lee Struck** and **Leanne Poarch Struck**, Debtors in the above-numbered and styled cause, object to the allowance of Claim #3 of Rushmore Loan Management Services ("Respondent"), filed herein in the amount of \$97,989.73 and would respectfully show the Court as follows:

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN 33 DAYS FROM THE DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH RESPONSE. IF NO RESPONSE IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF A RESPONSE IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER

1. Debtors **Steven Lee Struck** and **Leanne Poarch Struck** filed for bankruptcy protection under Chapter 13 on 10/23/2017 and their Plan was subsequently confirmed.

2. On or about 01/04/2018 Respondent filed its proof of claim, claiming an arrearage in the amount of \$97,989.73, alleging a security interest as described in the Proof of Claim.
3. Debtor disputes this arrearage claim. Debtor asserts that the arrears to this creditor is only \$24,035.37 at 0% interest.

WHEREFORE, PREMISES CONSIDERED, Debtor **Steven Lee Struck** and **Leanne Poarch Struck** prays that claim #3 of Rushmore Loan Management Services in the arrearage amount of \$97,989.73 be allowed as a secured arrearage claim in the amount of \$24,035.37 at 0%; and for such other and further relief as the Court deems just.

Dated: November 27, 2018

Respectfully Submitted,

ALLMAND LAW FIRM, P.L.L.C.

/s/ Justin H. King
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 27, 2018, the following parties were served a true copy of the foregoing on all the following parties via the method indicated below.

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

VIA ELECTRONIC NOTICE THROUGH COURT'S ECF SYSTEM

John Robert Callison on behalf of Creditor Rushmore Loan Management Services, LLC
edecf@bdfgroup.com

Eboney Cobb on behalf of Creditor Garland ISD
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Abbey U. Dreher on behalf of Creditor MTGLQ Investors, LP
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Carey D. Ebert on behalf of Trustee Carey D. Ebert,
ECFch13plano@ch13plano.com

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Melissa L. Palo on behalf of Creditor Dallas County
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US Trustee
USTPRegion06.TY. ECF@USDOJ.GOV

VIA U.S. MAIL

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541

By: /s/ Justin H. King
Justin H. King
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